

**HARRITY & SNYDER, L.L.P.**

11240 WAPLES MILL ROAD, SUITE 300

FAIRFAX, VIRGINIA 22030

TELEPHONE (571) 432-0800

FACSIMILE (571) 432-0808

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**TO:**

**Name:** Examiner David Lazaro

**Firm:** U.S.P.T.O.

**Fax No.:** 703-872-9306

**Phone No.:** 703-305-4868

**Subject:** Application No. 09/706,181

**FROM:**

**Name:** Brian E. Ledell

**Phone No.:** (571) 432-0800

**Fax # Verified by:** rwa

**# Pages (incl. this):** 4

**Date:** December 16, 2004

**Message:**

Examiner Lazaro,

Attached please find a Request for Continued Examination Transmittal and Petition for One Month Extension of Time for the above-identified application.

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December 16, 2004

Brian E. Ledell, 42,784

**REQUEST  
FOR  
CONTINUED EXAMINATION  
TRANSMITTAL**

Address to:  
U.S. Patent and Trademark Office  
220 20<sup>th</sup> Street S.  
Customer Window, Mail Stop RCE  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, Virginia 22202

Application Number	09/706,181
Filing Date	November 3, 2000
First Named Inventor	Theron Tock
Art Unit	2155
Examiner Name	D. Lazaro
Attorney Docket Number	0023-0216

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114 (Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

i. ☐ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/Declaration(s) iv. ☒ Other Petition for One Month Extension of Time

2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other \_\_\_\_\_

3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-1070

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$ 790.00 enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

CUSTOMER NUMBER: 44987

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type)

Brian E. Ledell

Registration No. (Attorney/Agent)

42,784

Signature

Date December 16, 2004